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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/023,746

12/21/2001

Jac Kyung Lee

K-0372

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07/26/2007

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EXAMINER

ZURITA, JAMES H

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

07/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/023,746

Applicant(s)

LEE, JAE KYUNG

Examiner

James H. Zurita

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2, 4, 13-16, 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2, 4, 13-16, 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9 May 2007 has been entered.

Response to Amendment

On 9 May 2007, applicant added claims 21-24.

Claims 2, 4, 13-16 and 18-24 are pending; claims 2 and 21 are independent.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 2, 4, 13-16, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al. (US 6,437,836).

As per claim 2, Huang discloses a remote controller (EFRC, single integrated unit, as in Col. 9, lines 16-19), comprising:

a communication module (Fig. 2, communications, for example)
configured to communicate (as in Col. 3, lines 56-65)

over the Internet (Col. 5, lines 23-31, for example)
with a device which is configured to operate an Internet site (servers, inherent in the Internet and for downloading),

wherein the communication module receives remote controller information for a plurality of electronic apparatuses over the Internet from the device [applicant's device 12]. See, for example, downloading files from the Internet via communications links, as in Col. 3, lines 56-65 and for codes, see at least Col. 4, lines 7-14).

said remote controller information including remote controller code information and function information from the plurality of electronic apparatuses (see, for example, references to code functions, as in Col. 4, lines 7-14) ;

a storage device for storing the remote controller information transmitted through the communication module (See, for example, at least Fig. 7, illustrating storage structure for codes); and

a display unit including an image process circuit and a display window, said display unit displaying various remote controller function keys and a list of the plurality of electronic apparatuses (see, for example, at least Col. 1, lines 7-12 as well as references to electronic program guides (lists), as in Col. 3, lines 13-24),

wherein the remote controller transmits an infrared signal corresponding to a key input by a user (see, for example, at least Col. 6, lines 15-26).

As per claim 4, Huang discloses the device comprises one of a server or a PC. See at least Col. 5, lines 22-30, which discloses downloading files from the Internet, which inherently involve at least one server on the Internet).

As per claim 13, Huang discloses a user interface unit [23] configured to receive user operation commands for remote controller [14] functions (See, for example, at least Fig. 6 and related text).

As per claim 14, Huang discloses an infrared transmitting unit [26] configured to generate at least one infrared signal corresponding to the key input by the user among the various remote controller function keys (see, for example, references to infrared transmission, as in Col. 3, line 66-Col. 4, line 6).

As per claim 15, Huang discloses a controlling unit [24] configured to control at least the infrared transmitting unit (Fig. 2, item 202,).

As per claim 16, Huang discloses a program [xx] executable by the controlling unit to select and control each of the plurality of electronic apparatuses (see, for example, at least Col. 4, lines 15-21, Col. 7, lines 43-54).

As per claim 18, Huang discloses the electronic apparatuses are from different manufacturers. See, for example, at least Fig. 7 and references to IR Signal Types, such as REC-80 (developed by Panasonic) and REC-5 (Phillips) for different manufacturers and their devices.

As per claim 19, Huang discloses that the electronic apparatuses are of different kinds (see, for example, references to TV's and VCR's, as in Col. 2, lines 16-29).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang.

As per claim 20, Huang **does not** specifically disclose that the electronic apparatuses comprise different models. Huang discloses introduction of new codes for new electronic apparatuses, as in Col. 2, lines 16-28.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to extend Huang to disclose that electronic apparatuses comprise different models. One of ordinary skill in the art at the time the invention was made would have been motivated to extend Huang to disclose that electronic apparatuses comprise different models for the obvious reason that improvements in electronics allows manufacturers to improve their electronic apparatuses and offer them to consumers as later models.

Claim 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Ben-Ze'ev (US 6791467).

As per Claim 21, Huang discloses a remote controller, comprising:

- **a communication device** to communicate with a server or a computer over the Internet, the communication device to receive remote controller information for a plurality of electronic apparatuses over the Internet from the server or the computer, said remote controller information including remote controller code information and function information for the plurality of electronic apparatuses; see rejection of claim 2)
- **a storage device** to store the remote controller information; see rejection of claim 2.

- **a display unit** including a display window to display various remote controller function keys and a list of the plurality of electronic apparatuses; see rejection of claim 2.
- **a user interface unit** configured to receive user operation commands for remote controller functions, see rejection of claim 2.
- wherein the remote controller transmits an infrared signal corresponding to a key input by a user, see rejection of claim 2.

Huang **does not** specification disclose that electronic apparatuses are from different manufacturers, are different kinds or are different models. This is disclosed by Ben Ze'ev, Col. 15, lines 5-24.

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Huan and Ben Ze'ev to disclose that electronic apparatuses are from different manufacturers, are different kinds or are different models.

One of ordinary skill in the art at the time the invention was made to would have been motivated to combine Huan and Ben Ze'ev to disclose that electronic apparatuses are from different manufacturers, are different kinds or are different models for the obvious reasons that different manufacturers introduce new models of appliances and a user may download updated setup and control information.

As per claim 22, Huang discloses an infrared transmitting unit [26] configured to generate at least one infrared signal corresponding to the key input by the user among the various remote controller function keys (see, for example, references to infrared transmission, as in Col. 3, line 66-Col. 4, line 6).

As per claim 23, Huang discloses a controlling unit [24] configured to control at least the infrared transmitting unit (Fig. 2, item 202,).

As per claim 24, Huang discloses a program [xx] executable by the controlling unit to select and control each of the plurality of electronic apparatuses (see, for example, at least Col. 4, lines 15-21, Col. 7, lines 43-54).

Response to Arguments

Applicant's arguments filed 9 May 2007 have been fully considered but they are not persuasive. Applicant argues

...Huang **does not** teach or suggest a remote controller that includes a display unit including an image process circuit and a display window, the display unit displaying various remote controller function keys and a list of the plurality of electronic apparatuses.

In response, the Examiner notes references to home theatre, as in Fig. 6 and related description:

...generic remote control with standard features is displayed; however, the dynamically generated nature of the remote control features allows for alternate display representation to fully encapsulate features specific to a user's preferences or a customized home-theatre setup. A feature common to this user interface representation is a "Keypad" indicator 601, which echoes the user input on the keypad pushbuttons 205. [col. 8, lines 45-55, emphasis added]

Applicant's arguments concerning the new claims are addressed above.

Conclusion

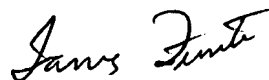
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

Art Unit: 3625

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James Zurita
Primary Examiner
Art Unit 3625
22 July 2007



JAMES ZURITA
PRIMARY EXAMINER